

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 25, 1997

ALL COUNTY INFORMATION NOTICE NO.

I-39-97

**TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL JUVENILE COURT JUDGES**

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

**SUBJECT: DISCLOSURE OF LICENSED FOSTER PARENTS ADDRESS
CHAPTER 275, STATUTES OF 1996 (ASSEMBLY BILL 2329)**

The purpose of this notice is to provide information on the provisions of Assembly Bill (AB) 2329, which became effective January 1, 1997. This legislation revises Welfare and Institutions Code (WIC) Section 308 regarding notification to a minor's parent, guardian, or responsible relative that the minor is in protective custody and the minor has been temporarily placed.

Previously, WIC 308 allowed for the disclosure of the child's location/address of the foster parent unless the juvenile court issued an order upon a showing that notifying the parent, guardian or responsible relative of the child's whereabouts would endanger the child and/or foster family or that the parent or guardian was likely to flee with the child.

Effective January 1, 1997, WIC 308 requires that when a minor is taken into custody, the peace officer or social worker must keep the address of the licensed foster family home confidential until the dispositional hearing, at which time the juvenile court judge, upon a finding of good cause, authorizes the disclosure of the foster family's address. In cases where a petition to challenge jurisdiction, or some other motion to delay the dispositional hearing beyond 60 days is granted, the court may order the release of the address of the licensed foster home to the parent, guardian or responsible relative. A foster parent may also disclose or authorize the release of his/her address at any time during the child's placement.

The stated intent of this legislation was to provide security for licensed foster parents who take in children as an emergency placement and who are not prepared for a confrontation with the child's parent(s). This does not, however, in any way diminish the importance of contact between the child and the parent(s). As a matter of good practice, all appropriate contact should be facilitated. WIC Section 308 continues to require that counties make a diligent and reasonable effort to ensure regular telephone contact between the parent and the child of any age, prior to the

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Page Two

detention hearing, unless that contact would be detrimental to the child. Until the time of the dispositional hearing, the peace officer or social worker is to provide the parent, guardian or responsible relative with only a telephone number by which the minor may be contacted.

We anticipate updating Division 31 regulations by the first quarter of 1998 to include this provision. If you have any questions regarding implementation of the bill, please contact your Child Welfare Services Operations consultant at (916) 445-2836.

A handwritten signature in cursive script, reading "Marjorie Kelly".

MARJORIE KELLY

Deputy Director

Children and Family Services Division